

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Robert Barbera,

Plaintiff,

v.

All Season Protection Inc.,

Defendant.

24 Civ. 5482 (KPF)

Order

DEFAULT JUDGMENT

WHEREAS, this matter came before the Court on the motion of Plaintiff Robert Barbera (“*Plaintiff*”) for entry of a default judgment against the defendant All Season Protection Inc. (“*Defendant*”) under Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2; and

WHEREAS, Defendant has not filed an answer, notice of appearance, or any opposition to Plaintiff’s motion for default judgment; and was duly served with process

ORDERED ADJUDGED AND ORDERED that Plaintiff’s application for entry of default judgment is GRANTED pursuant to Fed.R.Civ.P. 55(b)(2); and it is further

ORDERED that Defendant violated Plaintiff’s exclusive rights under 17 U.S.C. § 106 of the Copyright Act by engaging in unauthorized copying of Plaintiff’s registered work as identified in Exhibit 1 to Plaintiff’s complaint; and it is further

ORDERED that Defendant shall pay \$1,425.00 in actual damages under 17 U.S.C. § 504(b); and it is further

ORDERED that Defendant shall pay \$460.00 in costs pursuant to 17 U.S.C. § 505 and Fed.R.Civ.P 54(d); and it is further

ORDERED that pursuant to 17 U.S.C. § 502(a) Defendant is hereby enjoined from continuing to store or display Plaintiff's Photograph as identified in Exhibit 1 to Plaintiff's Complaint; and it is further

ORDERED that this Court retains jurisdiction over any matter pertaining to this judgment; and it is further

ORDERED that this case is closed. The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

This is a final appealable order. *See* FED. R. APP. P. 4(a).

Dated: May 1, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

The Hon. Katherine Polk Failla
United States District Judge